

PATENT

In re Application of:

John MISSELBROOK

Application No.: 09/889,827

Filed: November 28, 2001

For: PROCESS FOR PRODUCING
GRANULES

Group Art Unit: 1732

Examiner: Eashoo, Mark

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

1. Transmitted herewith.

PTO-1449 with 3 references
Copy of second Opposition

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

Extension of time fee due with this request: \$_____.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus			x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))		minus			x \$86 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

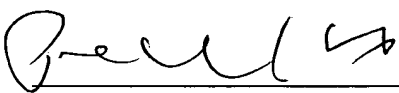
5. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Charge Deposit Account No. 50-0310 in the amount of **\$180.00** for Supplemental Disclosure.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 21, 2004

By: 
Paul N. Kokulis
Reg. No. 16,773

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PATENT
Atty. Dkt. No. 062456-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of

John MISSELBROOK

Serial No.: 09/889,827

Filed: November 28, 2001

Title: PROCESS FOR PRODUCING GRANULES

Group Art Unit: 1732

Examiner: Eashoo, Mark

SUPPLEMENTAL DISCLOSURE SUBMISSION

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

With the applicant's response to the Office Action of March 20, 2004, the Examiner's attention was called to an opposition filed by SIPCAM, an Italian company, against the applicant's European application.

The applicant submits herewith for the Examiner's information and consideration a copy of a second opposition filed against the applicant's aforementioned European application by Makhteshim-Agan Industries, an Israeli company.

Also attached are copies of the references D1-D3 on which this opposition is based with PTO-1449 listing the same.

The applicant considers his invention to be patentable over the references noted in the two oppositions. However, the Examiner is requested to consider the same in the further examination of this application.

10/22/2004 RFEKADU1 00000040 500310 09889827
01 FC:1806 180.00 DA

Please charge the fee for this submission in the amount of **\$180.00** to Deposit
Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



By: _____

Paul N. Kokulis
Reg. No. 16,773

Date: October 21, 2004

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FORM PTO-1449 (modified)
 To: U.S. Department of Commerce
 (PW FORM PAT-1449)
 Patent and Trademark Office

Atty.
Dkt. No.

M#

Client Ref.

062456-5001-US

PAAGBA335 US

**INFORMATION DISCLOSURE STATEMENT
 BY APPLICANT**

Applicant: John MISSELBROOK

Appln. No.: 09/889,827

Filing Date: November 28, 2001

Examiner: Eashoo, Mark

Group Art Unit: 1732

Date: October 21, 2004

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of

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U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					
	ER					
	FR					
	GR					
	HR					
	IR					

FOREIGN PATENT DOCUMENTS

	Document Number	Date MM/YYYY	Country	Applicant Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclose	No
	JR	WO 89/00079	01/1989	PCT	ICI Australia	X		
	KR							
	LR							
	MR							
	NR							

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

OR	Westvaco brochure, "Pre-Mixes for Water Dispersible Granules" (1983)	X		
PR	Hovde, "Water Dispersible Granules, presentation at symposium on pesticide Formulations and Applications Systems: 3rd Symposium, Oct. 11-14, 1982, Ft. Mitchell, KY	X		
QR				
RR				
SR				
TR				

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.